

REMARKS

The foregoing claims include those filed on December 22, 2003, plus the correct status identifier for claim 20 which was inadvertently omitted from the December 22, 2003 response. The following remarks are the same as those filed on December 22, 2003.

The Examiner is thanked for the careful examination of the application. However, in response to the foregoing amendments and remarks that follow, the Examiner is respectfully urged to reconsider and withdraw the outstanding rejections.

Claims 1, 11, 13, 22 and 35:

Claims 1, 11, 13, 22 and 35 have been rejected under 35 U.S.C. §102(e) as being allegedly anticipated by U.S. Patent No. 5,862,404, hereinafter Onaga. Claim 1 defines a print system, claim 11 defines a method of controlling a print system, and claim 22 defines a print server adapted to be connected to a plurality of printers and a plurality of computers. Claim 35 defines a print server that includes a job observer for monitoring status information of a plurality of printers and a sender for sending the status information to the plurality of computers simultaneously. Furthermore, a feature of each of claims 1, 11, 22, and 35 is that the status of a plurality of printers is gathered or monitored and sent to a plurality of computers simultaneously.

In response to the rejection based on Onaga, each of the independent claims of the present application has been amended to clarify that the gathered status is sent to the plurality of computers simultaneously without any of the plurality of computers sending a status request. Support for the amendments is found generally throughout the specification

in that the specification describes that the status is sent and is sent without any of the plurality of computers sending a status request.

In rejecting claims 1, 11, 13, 22 and 35, the Examiner refers to column 4, lines 60-65, and column 6, lines 29-33, as evidence that Onaga teaches, among other elements, a file server that provides all of the status of the peripheral devices simultaneously to the plurality of work stations. However, Applicant submits that the recited section of Onaga do not teach or suggest that the status information of a plurality of peripheral devices is simultaneously provided to a plurality of work stations.

Applicant submits that the system disclosed in Onaga is not capable of providing the status of each of the peripheral devices 110 to each of the workstations 150 simultaneously. In fact, from a review of Figures 2, 3A, and 3B of Onaga, it is clear that the process of sending the device status information from the file server 120 to the workstation 150 is initiated by the workstation 150 that requested device status information. Thus, there is no teaching or suggestion in Onaga that each of the workstations can or should request a status file simultaneously.

In view of the fact that, in the teachings of Onaga, the status information is only sent from the file server to the workstation if the workstation 150 requests the device status information, the aforementioned amendments to the independent claims 1, 11, 22 and 35 further clearly distinguish such claims from Onaga. Specifically, *Onaga* only sends the status information when requested by one of the computers, and each of the independent claims of the present application has been specifically amended to state that the status information is sent out without any of the plurality of computers sending a status request.

Accordingly, in view of the foregoing amendments and remarks, the Examiner is respectfully requested to reconsider and withdraw the rejections of claims 1, 11, 13, 22 and 35.

Claim 4 and 14:

Claims 4 and 14 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Onaga and U.S. Patent No. 5,727,135, hereinafter Webb. Claims 4 and 14 depend from claims 1 and 11, respectively. The Examiner relies upon Webb for its alleged teaching of providing an optional object displayed in the window including the object for postponing a particular print job by user. Such teachings do not overcome the deficiency of the rejection of claims 1 and 11 based on Onaga. Accordingly, the rejections of claims 4 and 14 should be withdrawn.

Claims 6 and 15-16:

Claims 6 and 15-16 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Onaga and U.S. Patent No. 5,669,040, hereinafter Hisatake.

The Examiner relies upon Hisatake for its alleged teaching of the status monitor of each of the plurality of computers including means for displaying an operating condition in which a waiting time for the printer that is displayed in the status monitor. The teaching in Hisatake relied upon by the Examiner does not overcome the deficiency of the rejection of claims 1 and 11, from which claims 6 and 15-16 depend. Accordingly, claims 6 and 15-16 are patentable over the combination of Onaga and Hisatake.

Claims 17-19:

Claims 17-19 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Onaga and U.S. Patent No. 6,213,652, hereinafter Suzuki. The Examiner alleges that Suzuki teaches that the computers and the print server exchange registration request and response information. However, such teachings do not overcome the deficiency of the rejection of claim 11 based on Onaga. Accordingly, claims 17-19 are also patentable over the combination of Onaga and Suzuki.

Claims 10, 21, and 23:

Claims 10, 21, and 23 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Onaga, as applied to claims 1, 11, and 22, and JP Patent No. 409212313A, hereinafter JP '313. Claims 10, 21, and 23 depend from claims 1, 11, and 22, respectively. The Examiner relies upon JP '313 for its alleged teaching of the print server including means for calculating a waiting time for availability of a printer. However, this teaching does not overcome the deficiency of the rejection of claims 1, 11, and 22, based on Onaga. Accordingly, claims 10, 21, and 23 are also patentable over the applied prior art.

Claims 27-39:

Claims 27-39 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Onaga and U.S. Patent No. 5,435,544, hereinafter Mandel. the Examiner recognizes that Onaga does not teach "when the status of a printer changes". To

make up for this deficiency, the Examiner relies upon column 1, lines 40-46 of Mandel.

However, Mandel teaches that the status of a print job is sent to a particular computer that originated the print job in order to advise that particular computer when the print job is completed or if the printer is out of paper. There is no teaching or suggestion that the information in Mandel sent to a plurality of computers when the status of a printer changes. Accordingly, neither Onaga, nor Mandel, teaches or suggests that the status of a printer is sent to a plurality of computers at any given time, particularly when the status of the at least one printer changes.

At best, Mandel teaches that the status of a printer is sent to a particular computer, not a plurality of computers, when a print job originated by that particular computer reaches a particular status, such as completion or if the printer is out of paper.

In addition, each of claims 27, 29, 31 and 33 has been amended to further state that the status is sent to the plurality of computers *simultaneously* without any of the plurality of computers sending a status request.

Accordingly, neither Onaga, nor Mandel, either by themselves, or in combination, teaches the subject matter of claim 27. Claim 28 depends from claim 27, and is thus also patentable over the cited prior art.

Claim 29 also defines sending the status of at least one printer to a plurality of computers when the status of the at least one printer changes, and has been further amended to indicate "without any other plurality of computers sending a status request". Accordingly, for the reasons set forth above with respect to claim 27, the rejection of claim 29 is also improper and should be withdrawn.

Claim 30 depends from claim 29, and is thus also patentable over the applied prior art at least for the reasons set forth above with respect to claims 27 and 29.

Claim 31 defines a print server which includes, among other elements, a sender for sending the status to a plurality of computers without receiving a status request from any of the plurality of computers. Claim 31 has been amended to indicate that the status is sent simultaneously.

The Examiner has not specifically addressed the features of claim 31, other than to state that the limitation is the same as "a sender for sending the status to the computers when the status of the at least one printer changes". However, there is no basis for this comparison. Accordingly, the rejection of claim 31 is improper and should be withdrawn. If the Examiner persists with the rejection of claim 31, the Examiner is required to provide a proper analysis to which the Applicant can respond.

Nevertheless, as set forth above, Mandel does not teach simultaneously sending the status of a printer to a plurality of computers. Instead, Mandel merely sends the status to a particular computer which originated a print request.

Accordingly, claim 31 is patentable over the cited prior art. In addition, claim 32, which depends from claim 31, is thus also patentable.

With regard to claims 33 and 34, similar issues reside, as with claim 31. Specifically, the subject matter of claim 33 has not been adequately addressed by the Examiner and, Applicant submits that Mandel does not teach or suggest, either by itself, or in combination with Onaga, the sending of the status of at least one printer to a plurality of computers without any of the plurality of computers sending a status request. And, in

particular with regard to the new amendment, there is no such teaching that the status is sent simultaneously. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of claim 33, and dependent claim 34.

Claims 36-39 have been cancelled to avoid duplication with the amendments to the independent claims 27, 29, 31, 33.

To further define the protection to which Applicants are entitled, new claims 40-55 have been added. New claims 40-47 are dependent claims which depend from each of the independent claims and indicate that the status is sent when the print server receives a new print job from any of the plurality of computers. New claims 48-55 are dependent claims which depend from each of the independent claims and indicate that the status is sent when a print job received from any of the plurality of computers has been completed.

Accordingly, new claims 40-55 are also patentable over the cited prior art, if, at least for the reasons set forth above with respect to the independent claims from which they depend.

The Office Action sets forth additional analyses concerning the alleged teachings of the cited prior art. At the present time, Applicant does not take a position concerning such other analyses, and reserves the right to challenge such analyses at a later time, if necessary and appropriate.

In view of the foregoing amendments and remarks, the Examiner is respectfully requested to reconsider and withdraw the outstanding rejections.

In the event that there are any questions concerning this response, or the application in general, the Examiner is respectfully urged to telephone the undersigned attorney so that prosecution of the application may be expedited.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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By: William C. Rowland
William C. Rowland
Registration No. 30,888

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620